

**DISTRICT OF NEW JERSEY  
TRENTON VICINAGE**

MARK DANIEL HOSPITALITY LLC  
(d/b/a INC)

**Plaintiff,**

v.

AMGUARD INSURANCE COMPANY,

**Defendant.**

Civil Action No. 3:20-cv-06772 (FLW-  
TJB)

**ORDER OF COURT**

AND NOW, this 20<sup>th</sup> day of October, 2020, upon consideration of the Motion for Reconsideration and Amendment of Remand Order (Dkt. No. 31) filed on behalf of Defendant, AmGUARD Insurance Company, the Clerk of Court having sent a certified copy of the Remand Order to the Superior Court of New Jersey, Law Division, Mercer County on October 16, 2020,

IT IS HEREBY ORDERED that the Motion is **GRANTED**, and this Court's Order dated October 16, 2020 (Dkt. No. 28) is amended as follows:

1. The Order of Remand and the service of such Order on the Superior Court of New Jersey, Law Division, Mercer County does not divest this Court of jurisdiction with respect to this matter because Defendant has a right to appeal the Order; and
2. Jurisdiction over this matter remains with this Court during the pendency of any appeal of such Order to the United States Court of Appeals for the Third Circuit.

IT IS FURTHER ORDERED that the Clerk of the Courts shall transmit a certified copy of this order to the Superior Court of New Jersey, Law Division, Mercer County.

/s/ Freda L. Wolfson

Freda L. Wolfson  
U.S. Chief District Judge